

1873-014 Chancery Causes: Ira G. Sprinkle for &c vs. William Z. Hobbs &c
Lee Co.

Reasor

CA-Debt

To the Hon Henry J Morgan Judge of the
County Court of Lee County

Yam Austin Cox & Sprinkle who sue for
the benefit of Joshua Hobbs respectfully represents
that William B Hobbs being indebted to him
in the sum in the sum of Thirty eight dollars
and forty five cents - he the said Hobbs to acknowledge
his indebtedness and promise payment thereof on
the 15 day of December 1870 made his certain
note in writing signed with his proper name
the date whereof is the day and year aforesaid
whereby he promised to pay one day after the
date thereof to the said Sprinkle the said
sum of Thirty eight dollars and forty five
cents, which note is herewith filed for
A. and prayer to be considered hereunto.
Yet Yam Austin states that he has not as
yet paid to him or his beneficiary the said
sum of money or any part thereof. And the
same is lost and owing and there is present
cause of action thereon. He further states
that the said William B Hobbs has removed
from this State but that he has estate within
the said County - that the estate of Aaron S Hobbs
is indebted to him in a large sum of money to
wit the sum of \$151.40 which is now
a decree for this sum due and payable against ~~the~~ ^{the} ~~estate~~ ^{estate} of Aaron S Hobbs &
due and payable and Peter Nelson & Henry Hobbs
are the administrators of this estate. The object
of this bill therefore is to obtain a decree
against the said William B Hobbs for the debt
due by him and also a decree against the
personal representative of the estate of the said
Aaron S Hobbs requiring him to pay the same
out of the debt due to the said William

and last that the said personal representative
might pay the debt due from the estate of his
intestate to the said William to prove that
the same be attached in his hands and he
be enjoined therefrom until a hearing of
this cause. Your petitioners pray therefore
is that the said William & Hobbs
^{May Hobbs & Peter Reason and May Hobbs the administrators of the estate of John & Hobbs}
be made
defendants to this bill and answer the
same on oath and on a hearing a decree
be rendered giving the relief as sought by
the object of the bill and also general relief
may spe issue &c
Hoyan & Pridemore

N.P.

John G. Sprink & for H.

v { Bill: and
foreign attachment

John G. Hobbs et al
exhibit file

- 1871 Jan Bill filed. See Exerts an
left to Peter Hasso & Henry Hobbs
+ D. X. as to them + O. P. vs. resident.
- " Feb Decree nisi vs Home left to
confirmed & continued for O. P.
- " March Conts for O. P.
- " April O. P. Compts & Decree nisi
- " May Decree nisi Compt & set for
hearing by Plaintiff
- " June, continuing
- " July Decree nisi
- 1873 Dec on motion placed on
Issue Decreted Decree
correcting former decree

6.6.07
7.10.07
8.1.08
9.1.08
10.1.08
11.1.08

Isa b Sprinkle for vs

Plff

vs
Wm G Hobbs et al

Def

In let

This cause is placed on the docket
On Motion And it appearing to the
Court That the decree rendered in this cause,
an error was committed to the prejudice
of defendant Wm G Hobbs by making the
debt in the bill mentioned bear interest from
the 16th of December 1860 when it should
have been made to bear interest from
16th December 1870. Wherefore to correct
the error it is adjudged and decreed that the
former decree be so modified that the said
debt bear interest only from the 16th Decem-
ber 1870- And the cause is stricken
off the docket.

Ira G. Sprunk & Co.

R. { accu. coming
 enn

Mr G Hobbs & Co
Entered order Book page
370 James W. Clark

Enter this record

H. Morgan

Dec 17/73

1. Only Sprinkle for it.

against
Wm G. Hobbs et al

Plff

Defts

In by

This cause came on this day to be heard
on the bill of the plaintiff & exhibits filed
and was argued by counsel. And it
appearing to the Court that process has
been duly executed on the defendants
~~who still fail to appear.~~ And the cause
being now regularly brought for hearing
and they the said defendants still
failing to appear the bill is therefore
taken for confessed. And the Court
being sufficiently advised. On consid-
eration it is adjudged ordered and decreed
that the plaintiff for the benefit of Leshue
Hobbs recover against the ^{William G. Hobbs} defendants the
sum of \$38.45 with legal interest thereon
at 6 per centum per annum from
the 16th day of December 1860 till paid
and the costs of this suit. And it
further appearing that the defendants
^{May Hobbs and the} Peter Reason ~~and May Hobbs~~ administrators
of the estate of Aaron S. Hobbs are
indebted to their co-defendant William
G. Hobbs in a sum more than sufficient
to pay the plaintiff's claim it is therefore
further adjudged and decreed

May Hobbs & ~~Pay~~

That the said Peter Reesor and May
Hobbs the personal representatives of Sam-
l Hobbs pay out of the estate of their
Intestate to the said beneficiary Joshua
Hobbs the amount of this decree in his
favor. And which sum when paid will
be a proper set-off against to this extent
against what the estate of the said Sam-
may owe their co-defendant William
G Hobbs. - And the co. And the benefi-
ciary Hobbs having executed the same required
by the 24 section of Chap 151 Code of 1860
is now entitled to the benefit of that
decree. And the cause is Stricken off
the docket. But the beneficiary plaintiff in order to
entitle himself to the benefit of this decree is required to execute
bond with good security in the sum of \$75.00 with condition
to perform such future order as may be made upon the appearance
of the non-resident defendant and his making defence, and
no further action being necessary the cause is Stricken from the docket.

Entered O. B. Page Nov 77.

James W. Smith.

Wm G. Hobbs

Decree.

Wm G. Smith

Entireties Decree

Wm G. Hobbs
July 16 - 1872



Circuit Court, 186 .

Steps at Present Term.

and do hereby after date I bind
my self to pay Ira G Springler
thirty eight dollars and forty five
cents for val received of him
This Dec. the 13 day 1870
attest A J Shephard William J Webb

Docket,

No.

Last Order in the Case.

Plff. Atty.

Sub. issued for
Plaintiff.

*none
shobbs
note*

Whereas Lashua Hobbs for whom benefit a suit has
been instituted ^{a suit} in chancery in the County Court of Lee
County any claim against William G Hobbs. and
who is alleged to be the

debtor of the said William. which suit is now
pending in the said Court and the said
Lashua Hobbs has this day made oath before
me James W Orr clerk of the said Court
that the claim which he the said Lashua asserts
in said action for his benefit is just and
that the amount of said claim is \$38.45 of
principal money with interest from the 16th
day of December 1870. that he the official
best pursuit cause of action therefor. and that
the said William G Hobbs is not a resident
of this State - and affiant believes that he
the said William has estate or debts due
him within the said County in which the
suit is, Given under my hand this 18th day of
December 1871.

James W Orr. Clerk.

Don & Sprinkle Lark

as { Affidavit

Mr. G. Hobbs

Virginia,

At Rules held in the Clerk's Office of the County Court of Lee County, on Monday, the 1st day of January 1872.

Ira G. Sprinkle, who sues for the benefit of Joshua Hobbs, Plaintiff
against

William Z. Hobbs, and Peter Reasor + Mary Hobbs - the personal
representatives of Aaron S. Hobbs dec'd - - - - - Defendants

In Chancery.

The object of this suit is to obtain a Decree in favor of the Plaintiff against the defendant William Z. Hobbs for the debt in the Bill mentioned and ^{also} requiring said personal representatives to pay said debt, with its interest ~~and the costs of this suit to the Plaintiff~~ ^{on account of their indebtedness} ~~of the debt due~~ from their intestates' estates to said William Z. Hobbs, ~~plus or so much~~ thereof as may be necessary, which has been attached in their hands ~~in~~ for the purpose until this suit is decided. And it appearing that the defendant William Z. Hobbs is a non-resident of the State of Va. from evidence filed in the cause. It is ordered that he appear here within one month after due publication of this order, and do what is necessary to protect his interest in this suit.

Teste - James W. Orr, Clerk.

I, James W. Orr, Clerk of the County Court of Lee County, do certify that on Monday, the 15th day of January 1872, that being Court day, I posted a copy of the foregoing order at the front door of the Court House of said County.

James W. Orr, Clerk.

Era G. Sprinkle, for

vs. } Order of Publication.
}

William G. Hobbs & others

The Commonwealth of Virginia,

TO THE SHERIFF OF LEE COUNTY---GREETING:

WE COMMAND YOU TO SUMMON *William Z. Hobbs, and Peter Reaver*
and Mary Hobbs, the personal representatives of Aaron S.
Hobbs dec'd

to appear before the Judge of our County Court of Lee county, at the Court-House, in the Clerk's Office, at Rules
to be holden for said Court, on the first Monday in *January* next to answer a bill in Chancery,
exhibited in our said Court against *them* by *Ira R. Sprinkle, who sues for*
the benefit of Joshua Hobbs

And have then there this writ. Witness, **JAMES W. ORR**, Clerk of our said Court, at the Court-House,
this *21st* day of *December*, 187*1*, in the *96th* year of the
Commonwealth.

John B. West, CLERK.

Proper affidavit having been made, the officer serving this writ is ordered to attach the debt due from the estate of Aaron S. Hobbs dec'd to the debt Mrs. Z. Hobbs, in the hands of his co. defendants Peter Reaser & Mary Hobbs. adm^{rs} & adm^{rs} of said Aaron Hobbs' estate. to be administered or so much thereof as may be necessary to pay the plaintiffs debt, interest, & costs in the Bill mentioned & hold the same subject to the Decree of the Court.

John R. West, D. Clk

Jane B. Sprinkle, for

Mrs. Z. Hobbs in Chancery

Mrs. Z. Hobbs & others

January Rules 1872.

Exhibit of Delinquent
to Eden Reaser & others
Mary Hobbs & others
affidavit of J. R. West
1872.

1 copy paid

Virginia: At rules held in the clerk's office of the county court of Lee county, on Monday, the 1st day of January, 1872 Ira G. Sprinkle, who sues for the benefit of Joshua Hobbs, plaintiff

against
William Z. Hobbs and Peter Reasor and Mary Hobbs, the personal representatives of Aaron S. Hobbs, dec'd, defendants
IN CHANCERY.

The object of this suit is to obtain a decree against the defendant William Z. Hobbs for the debt in the bill mentioned, and also requiring said personal representatives to pay said debt, and the costs of this suit, on account of their indebtedness to said William Z. Hobbs, which has been attached for the purpose. And it appearing from evidence filed in the cause that the defendant William Z. Hobbs is a non-resident of the State of Virginia. It is ordered that he appear here within one month after due publication of this order, and do what is necessary to protect his interest in this suit.

Teste, JAMES W. ORR, Clerk.
a copy teste,
jan18-4w JAMES W. ORR, Clerk.

*Herald Office
Marion Va. Feb. 18, 1872*

*I hereby certify that the
annexed notice has been published,
as required by law, for four con-
secutive weeks in the Marion
Herald.*

*W P Muable
Ed Herald*

Printer's fee \$5.00